

Notice of Allowability

Application No.

10/644,719

Applicant(s)

FENNEWALD ET AL.

Examiner

Charles R. Kasenge

Art Unit

2125

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed 3/2/07.
2. ☒ The allowed claim(s) is/are 6 and 8-35.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance *22*
9. ☐ Other _____ *4/2/07*

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. The claims submitted 3/2/07 has been amended as follows:

a. Original Claim 6: Line 1

i. Line 1, Delete "the"

b. Original Claim 12: Line 4

ii. Line 4, Replace "the maximum desired" with --a maximum desired--

c. Original Claim 14: Line 1

iii. Line 1, Replace "Claim 12" with --Claim 13--

d. Original Claim 15: Line 1

iv. Line 1, Replace "Claim 12" with --Claim 13--

e. Original Claim 16: Line 20

v. Line 20, Replace "the desired" with --a desired--

f. Original Claim 20: Line 12

vi. Line 12, Replace "with ratings" with --with the ratings--

g. Original Claim 21: Lines 2-3

vii. Line 2, Replace "is manually user preset" with --is manually preset by user--

viii. Lines 2-3, Replace "the end user" with --an end user--

- h. Original Claim 22: Line 4
 - ix. Line 4, Replace “the factor” with --the desired scaling factor--
- i. Original Claim 23: Lines 4-5
 - x. Lines 4-5, Replace “a desired scaling factor” with --the desired scaling factor--
- j. Original Claim 28: Lines 12, 16 and 17
 - xi. Line 12, Replace “said power-controlled” with --said power-receiving device--
 - xii. Line 16, Replace “said power output” with --the power output provided to energize said power-receiving device--
 - xiii. Line 17, Replace “determining the maximum” with --determining a maximum--
- k. Original Claim 29: Lines 18-19
 - xiv. Lines 18-19, Replace “said temperature” with --said sensed temperature--
- l. Original Claim 30: Line 2
 - xv. Line 2, Replace “the line voltage” with --line voltage--
- m. Original Claim 32: Line 2
 - xvi. Line 2, Replace “the user or is preset prior to shipment to the end user” with --a user or is preset prior to shipment to an end user--
- n. Original Claim 34: Lines 3, 10, 16 and 17
 - xvii. Line 3, Replace “the power level capability of system” with --a power level capability of the system--

- xviii. Line 10, Replace "element a" with --element at a--
- xix. Line 16, Replace "the power output" with --the power output provided to energize the heating element--
- xx. Line 17, Replace "determine the maximum" with --determine a maximum--

Allowable Subject Matter

- 3. Claims 6 and 8-35 are allowed.
- 4. The following is an examiner's statement of reasons for allowance: The prior art of record does not disclose a power control means being phase angle fired and includes a circuit provision to enhance the accuracy of phase angle power control at low conducting angles, by allowing one or more "off" cycles to occur between phase-angled-fired "on" cycles, thereby allowing an increase in the conduction angle of said phase-angled-fired "on" cycles nor does the prior art disclose nor does the prior art disclose a power control means operating such that, when said temperature readings are communicated to said temperature controller by the sensing means, said temperature controller provides a re-scaled output to said power control means which limits and re-scales the output power applied to said heat-producing means by using a scaling factor in accordance with ratings specification of said heat-producing means. The allowability, at least in part, resides in these facts.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

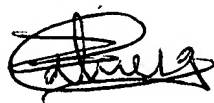
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles R. Kasenge whose telephone number is 571 272-3743. The examiner can normally be reached on Monday through Friday, 8:30 - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on 571 272-3749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CK
March 30, 2006


ZOLCA CABESRA
PRIMARY EXAMINER
4/2/07